

Masashi HIROKAWA, S.N. 10/742,349
Page 12

Dkt. 2271/57379-A

REMARKS

The application has been reviewed in light of the final Office Action dated October 16, 2007. Claims 55-64 were pending, with claims 1-54 having previously been canceled, without prejudice or disclaimer. By this Amendment, previously-canceled claims 43, 45, 47, 49, 51 and 53 have been restored as new claims 65-70. Applicant submits that claims 65-70 do not introduce new matter and do not introduce new issues since they are identical to formerly examined claims 43, 45, 47, 49, 51 and 53. Accordingly, claims 55-70 are pending upon entry of this Amendment, with claims 55, 58, 61, 63 and 65-70 being in independent form.

In the October 16, 2007 final Office Action, claims 55-64 were rejected on the ground of nonstatutory obviousness-type double patenting as purportedly unpatentable over claims 1-10 of U.S. Patent No. 6,697,172. In the June 6, 2007 Office Action, claims 43, 45, 47, 49, 51 and 53 were rejected on the ground of nonstatutory obviousness-type double patenting as purportedly unpatentable over claims 1-10 of U.S. Patent No. 6,697,172.

A Terminal Disclaimer is attached hereto as **Exhibit A**, thus obviating the double patenting rejection. The Patent Office is hereby authorized to charge the \$130.00 statutory disclaimer fee to our Deposit Account No. 03-3125.

In view of the attached terminal disclaimer and the remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our

Masashi HIROKAWA, S.N. 10/742,349
Page 13

Dkt. 2271/57379-A

Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400